

06-18-01

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PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY PATENT APPLICATION TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 042390.P11865First Named Inventor Jay H. Connelly

**Title:** A METHOD AND APPARATUS FOR CONTINUOUSLY AND OPPORTUNISTICALLY DRIVING AN OPTIMAL BROADCAST SCHEDULE BASED ON MOST RECENT CLIENT DEMAND FEEDBACK FROM A DISTRIBUTED SET OF BROADCAST CLIENTS

Express Mail Label No. EL429890233US

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, D. C. 20231

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. X **Fee Transmittal Form (e.g., PTO/SB/17)**  
(Submit an original, and a duplicate for fee processing)
2.        **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. X **Specification (Total Pages 91)**  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. X **Drawings(s) (35 USC 113) (Total Sheets 21)**
5. X **Oath or Declaration (Total Pages 5)**
  - a. X Newly Executed (Original or Copy)
  - b.        Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 17 completed)
    - i.        **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
  - c.        Unsigned.
6.        **Application Data Sheet. (37 CFR 1.76)**
7.        **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**
8.        **Nucleotide and/or Amino Acid Sequence Submission**  
(if applicable, all necessary)
  - a.        Computer Readable Form (CRF)
  - b.        Specification Sequence Listing on:
    - i.        CD-ROM or CD-R (2 copies); or
    - ii.        paper

11/07/00

- 1 -

PTO/SB/05 (08-00)

06/15/01  
13904 U.S. PTO

13921 U.S. PTO  
09/882487  
06/15/01

09882487 DE 11001

## ACCOMPANYING APPLICATION PARTS

9. ☒ **Assignment Papers (cover sheet & documents(s))**
10. ☐ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- ☒ b. Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ a. Information Disclosure Statement (IDS)/PTO-1449
- ☐ b. Copies of IDS Citations
13. ☐ **Preliminary Amendment**
14. ☒ **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Other: separate sheet with title, express mail label, copy of postcard & attorney's signature

17A. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)  
Of Prior Application No.: \_\_\_\_\_ Examiner \_\_\_\_\_ Group Art Unit \_\_\_\_\_

(which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. \_\_\_\_\_,  
which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. \_\_\_\_\_) (List entire chain of priority)

**For CONTINUATION AND DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that \_\_\_\_\_ (name of assignee) is  
the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an  
assignment recorded in the Patent and Trademark Office at Reel. No. \_\_\_\_\_ Frame No. \_\_\_\_\_  
(or a copy of which is attached).

## 18. Correspondence Address

\_\_\_\_\_ Customer Number or Bar Code Label \_\_\_\_\_  
(Insert Customer No. or Attach Bar Code Label here)

or

☒ Correspondence Address Below

NAME R. Alan Burnett  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard  
Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (425) 827-8600 FAX (425) 827-5644

Name (PRINT/TYPE): R. Alan Burnett Registration No.: 46,149

Signature: R. Alan Burnett Date: June 15, 2001

06/15/01  
 1c904 U.S. PTO

## FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) \$1,478.00

**Complete if Known:**

Application No. not yet assigned  
 Filing Date herewith  
 First Named Inventor Jay H. Connelly  
 Group Art Unit \_\_\_\_\_  
 Examiner Name \_\_\_\_\_  
 Attorney Docket No. 042390.P11865

**METHOD OF PAYMENT (check one)**

1. ☒ [ X ] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666  
 Deposit Account Name \_\_\_\_\_

☒ [ X ] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☒ X Payment Enclosed:  
☒ X Check  
☐ Money Order  
☐ Other

**FEE CALCULATION**

1. **BASIC FILING FEE**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
101	710	201	355	Utility application filing fee	<u>\$710.00</u>
106	320	206	160	Design application filing fee	_____
107	490	207	245	Plant filing fee	_____
108	710	208	355	Reissue filing fee	_____
114	150	214	75	Provisional application filing fee	_____
<b>SUBTOTAL (1)</b>					<b><u>\$ 710.00</u></b>

2. **EXTRA CLAIM FEES**

		<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	<u>56</u>	- 20** = <u>36</u>	X <u>\$18.00</u>	= <u>\$648.00</u>
Independent Claims	<u>4</u>	- 3** = <u>1</u>	X <u>\$80.00</u>	= <u>\$80.00</u>
<b>Multiple Dependent</b>				= _____

\*\*Or number previously paid, if greater; For Reissues, see below.

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) \$ 728.00**

# FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	390	216	195	Extension for response within second month	
117	890	217	445	Extension for response within third month	
118	1,390	218	695	Extension for response within fourth month	
128	1,890	228	945	Extension for response within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application or unavoidably delayed payment of issue fee	
141	1,240	241	620	Petition to revive unintentionally abandoned application or unintentionally delayed payment of issue fee	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	\$40.00
146	710	246	355	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 40.00**

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY:

Typed or Printed Name: R. Alan Burnett

Signature: *R. Alan Burnett* Date: June 15, 2001

Reg. Number: 46,149 Telephone Number: (425) 827-8600

Our Reference: 042390.P11865

Patent

A METHOD AND APPARATUS FOR CONTINUOUSLY AND OPPORTUNISTICALLY  
DRIVING AN OPTIMAL BROADCAST SCHEDULE BASED ON MOST RECENT  
CLIENT DEMAND FEEDBACK FROM A DISTRIBUTED SET OF BROADCAST  
CLIENTS

Inventors: Jay H. Connelly

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

R. Alan Burnett

R. Alan Burnett  
Reg. No. 46,149

"Express Mail" mailing label number: EL429890233US

Date of Deposit: June 15, 2001

I hereby certify that I am causing this paper or fee to be deposited with  
the United States Postal Service "Express Mail Post Office to Addressee"  
service on the date indicated above and that this paper or fee has been  
addressed to the Assistant Commissioner for Patents, Washington, D. C.  
20231

Jenny E. Miller

(Typed or printed name of person mailing paper or fee)

Jenny E. Miller 6-15-01  
(Signature of person mailing paper or fee) (Date signed)

Serial/Patent No.: not yet assigned

Filing/Issue Date: herewith

Client: Intel Corporation

Title: A METHOD AND APPARATUS FOR CONTINUOUSLY AND OPPORTUNISTICALLY  
DRIVING AN OPTIMAL BROADCAST SCHEDULE BASED ON MOST RECENT.....

BSTZ File No.: 042390.P11865

Atty/Secty Initials: RAB/jem

Date Mailed: June 15, 2001

Docket Due Date: \_\_\_\_\_

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ☐ Amendment/Response (\_\_\_\_ pgs.)
- ☐ Appeal Brief (\_\_\_\_ pgs.) (in triplicate)
- ☒ Application - Utility (91 pgs., with cover and abstract)
- ☐ Application - Rule 1.53(b) Continuation (\_\_\_\_ pgs.)
- ☐ Application - Rule 1.53(b) Divisional (\_\_\_\_ pgs.)
- ☐ Application - Rule 1.53(b) CIP (\_\_\_\_ pgs.)
- ☐ Application - Rule 1.53(d) CPA Transmittal (\_\_\_\_ pgs.)
- ☐ Application - Design (\_\_\_\_ pgs.)
- ☐ Application - PCT (\_\_\_\_ pgs.)
- ☐ Application - Provisional (\_\_\_\_ pgs.)
- ☒ Assignment and Cover Sheet
- ☒ Certificate of Mailing
- ☒ Declaration & POA (5 pgs.)
- ☐ Disclosure Docs. & Q&A & Copy of Invention Signed Letter (\_\_\_\_ pgs.)
- ☒ Drawings: 21 # of sheets includes 29 figures

- ☒ Express Mail No.: EL429890233US ☒ Check No. 1335
- ☐ \_\_\_\_\_ Month(s) Extension of Time Amt: \$1,478.00
- ☐ Information Disclosure Statement & PTO 149 (\_\_\_\_ pgs.) ☐ Check No. \_\_\_\_\_
- ☐ Issue Fee Transmittal Amt: \_\_\_\_\_
- ☐ Notice of Appeal
- ☐ Petition for Extension of Time
- ☐ Petition for \_\_\_\_\_
- ☒ Postcard
- ☐ Power of Attorney (\_\_\_\_ pgs.)
- ☐ Preliminary Amendment (\_\_\_\_ pgs.)
- ☐ Reply Brief (\_\_\_\_ pgs.)
- ☐ Response to Notice of Missing Parts
- ☐ Small Entity Declaration for Indep. Inventor/Small Business
- ☒ Transmittal Letter, in duplicate 2 pages each
- ☒ Fee Transmittal, in duplicate 2 pages each

Other: Certificate of mailing with copy of return postcard signed  
by attorney